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7
8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation/Petition to
13 Revoke Probation Against:

Case No. 2011-4

14 **PATRICIA ELLEN CARROLL, AKA**
15 **PATRICIA ELLEN COOPER**
16 **1030 E. Portner**
17 **West Covina, CA 91790**

**ACCUSATION/PETITION TO REVOKE
PROBATION**

18 **6481 Waverly Way**
19 **Fort Worth, TX 76116-7357**

20 **Registered Nurse License No. 256762**

21 Respondent.

22 Complainant alleges:

23 **PARTIES**

24 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation/Petition to
25 Revoke Probation solely in her official capacity as the Interim Executive Officer of the Board of
26 Registered Nursing, Department of Consumer Affairs (Board).

27 **California Registered Nurse License**

28 2. On or about July 31, 1975, the Board issued Registered Nurse License Number
256762 to Patricia Ellen Carroll, aka Patricia Ellen Cooper (Respondent). The Registered Nurse
License expired on November 30, 1996, and has not been renewed.

1 **Prior California Discipline**

2 3. In a disciplinary action entitled "*In the Matter of Accusation Against Patricia Ellen*
3 *Cooper*," Case No. 88-91, the Board issued a default decision and order, effective December 17,
4 1988, in which Respondent's Registered Nurse License was revoked. A copy of that decision is
5 attached as Exhibit A and is incorporated by reference.

6 4. Effective December 3, 1994, following a hearing on Respondent's Petition for
7 Reinstatement, OAH No. L-09053, Respondent's license was reinstated, revoked, and placed on
8 probation for three years, subject to certain terms and conditions.

9 5. Effective January 15, 1995, Respondent moved to Texas and her probation has since
10 tolled.

11 **Texas Registered Nurse License**

12 6. On or about April 15, 1982, the Texas Board of Nursing issued Registered Nurse
13 License Number 463406 to Respondent. The Registered Nurse License will expire on October
14 31, 2010, unless renewed.

15 **Prior Texas Discipline**

16 7. Effective November 21, 1986, in an action entitled "*In the Matter of Permanent*
17 *Certificate Number 4-63406 issued to Patricia Ellen Cooper*," the Texas Board of Nurse
18 Examiners issued a sanction of Severe Reprimand against Respondent.

19 8. Effective November 17, 1987, in an action entitled "*In the Matter of Permanent*
20 *Certificate Number 4-63406 issued to Patricia Ellen Cooper*," the Texas Board of Nurse
21 Examiners revoked Respondent's license to practice nursing.

22 9. Effective November 29, 1989, following a hearing on Respondent's Application for
23 Reinstatement before the Texas Board of Nurse Examiners, Respondent's license was reinstated
24 and placed on probation for seven years, subject to certain terms and conditions.

25 10. Effective March 23, 2010, pursuant to an Agreed Order entitled "*In the Matter of*
26 *Registered Nurse License Number 463406 issued to Patricia Ellen Cooper*," the Texas Board of
27 Nursing issued a sanction of Reprimand with Stipulations.

28 ///

JURISDICTION

11. This Accusation/Petition to Revoke Probation is brought before the Board under the authority of the following laws. All section references are to the Business and Professions Code (Code) unless otherwise indicated.

12. Code section 2750 provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with Code section 2750) of the Nursing Practice Act.

13. Code section 2764 provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license. Under Code section 2811, subdivision (b), the Board may renew an expired license at any time within eight years after the expiration.

14. Code section 2761 states:

"The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

"(a) Unprofessional conduct, which includes, but is not limited to, the following:

....

"(4) Denial of licensure, revocation, suspension, restriction, or any other disciplinary action against a health care professional license or certificate by another state or territory of the United States, by any other government agency, or by another California health care professional licensing board. A certified copy of the decision or judgment shall be conclusive evidence of that action."

15. Pursuant to the Board's Order in OAH No. L-09053:

"If petitioner violates the conditions of her probation, the Board after giving the petitioner notice and an opportunity to be heard, may set aside the stay order and impose the discipline of the petitioner's license.

If during the period of probation, an accusation has been filed against petitioner's license or the Attorney General's Office has been requested to prepare an accusation against petitioner's license, the probation period shall automatically be extended and shall not expire until the accusation has been acted upon by the Board. Upon successful completion of probation, the petitioner's license will be fully restored.

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1 **COST RECOVERY PROVISION**

2 16. Code section 125.3 provides, in pertinent part, that the Board may request the
3 administrative law judge to direct a licensee found to have committed a violation or violations of
4 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
5 enforcement of the case.

6 **ACCUSATION**

7 **CAUSE FOR DISCIPLINE**

8 **(Discipline by Another State)**

9 17. Respondent's license is subject to disciplinary action under Code section 2761,
10 subdivision (a)(4), in that her license was disciplined by the Texas Board of Nursing. The
11 circumstances are as follows:

12 18. Effective March 23, 2010, pursuant to an Agreed Order entitled "*In the Matter of*
13 *Registered Nurse License Number 463406 issued to Patricia Ellen Cooper*," the Texas Board of
14 Nursing issued a sanction of Reprimand with Stipulations.

15 **PETITION TO REVOKE PROBATION**

16 19. Grounds exist to revoke the probation and re-impose revocation of Respondent's
17 Registered Nurse License No. 256762 in that Respondent has violated the Board's Order in OAH
18 No. L-09053, as set forth in the following paragraph:

19 **CAUSE TO REVOKE PROBATION**

20 **(Failure to Notify Board of Change in Residency)**

21 20. At all times after the effective date of Respondent's probation, Condition 4 states, in
22 pertinent part:

23 "Periods of residency or practice outside of California will not apply to the
24 reduction of this probationary term. The Petitioner must provide written notice to
the Board within 15 days of any change of residency or practice outside the state."

25 /// *AMANDA JAC*
BOARD OF NURSING

26 /// *DATE 4-8-10*

27 ///

21. Respondent's probation is subject to revocation for failing to comply with Probation Condition 4, in that she failed to provide written notice to the Board of her change of residency outside the state. Letters mailed to Respondent's address of record and other known addresses were returned to the Board by the postal service as undeliverable.

PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

1. Revoking or suspending Registered Nurse License Number 256762, issued to Patricia Ellen Carroll, aka Patricia Ellen Cooper;
2. Ordering Patricia Ellen Carroll to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;
3. Taking such other and further action as deemed necessary and proper.

DATED: July 1, 2010

Louise R. Bailey
LOUISE R. BAILEY, M.ED., RN
Interim Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

LA2010600553

ARCHIVED
SUPERVISOR'S OFFICE TO GRACE

WOL MIT

BEFORE THE TEXAS BOARD OF NURSING

| | | |
|-----------------------------------|---|--------|
| In the Matter of Registered Nurse | § | AGREED |
| License Number 463406 | § | |
| issued to PATRICIA ELLEN CARROLL | § | ORDER |

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of PATRICIA ELLEN CARROLL, Registered Nurse License Number 463406, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(10)&(13), Texas Occupations Code. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on January 13, 2010, by Katherine A. Thomas, MN, RN, Executive Director, subject to ratification by the Board.

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was served on Respondent and Respondent was given an opportunity to show compliance with all requirements of the law for retention of the license.
2. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order.
3. Respondent is currently licensed to practice professional nursing in the State of Texas.
4. Respondent received an Associate Degree in Nursing from Rio Hondo College, Whittier, California, on June 7, 1975. Respondent was licensed to practice professional nursing in the State of California in September 1975, was licensed to practice professional nursing in the State of Washington on August 2, 1978, and was licensed to practice professional nursing in the State of Texas on April 15, 1982.

5. Respondent's professional nursing employment history includes:

| | |
|-----------------|---|
| 9/75 to 7/78 | Unknown |
| 8/78 to Unknown | Registered Nurse (RN) Memorial Hospital Pullman, Washington |
| 1986 to Unknown | RN Methodist Medical Center Dallas, Texas |
| 2005 to 1/06 | RN MedCare@Home Dallas, Texas |
| 2/6 to Present | Unknown |

6. On or about November 21, 1986, Respondent was issued a sanction of a Severe Reprimand through an Order of the Board by the Board of Nurse Examiners for the State of Texas. A copy of the Findings of Fact, Conclusions of Law, and the Order dated November 21, 1986, is attached and incorporated as a part of this Order.
7. On or about November 17, 1987, Respondent's license to practice professional nursing in the State of Texas was Revoked through an Order of the Board by the Board of Nurse Examiners for the State of Texas. A copy of the Findings of Fact, Conclusions of Law, and the Order dated November 17, 1987, is attached and incorporated as a part of this Order.
8. On or about November 29, 1989, Respondent's license to practice professional nursing in the State of Texas was Reinstated with Stipulations through an Order of the Board by the Board of Nurse Examiners for the State of Texas. A copy of the Order dated November 29, 1989, is attached and incorporated as a part of this Order.
9. At the time of the initial incident in Finding of Fact Number Ten(10), Respondent was employed as a Staff Nurse with MedCare@Home, Dallas, Texas, and had been in this position for one (1) year.

10. On or about January 26, 2006, while employed as a Staff Nurse with MedCare@Home, Dallas, Texas, Respondent provided falsified documentation of a skilled nurse visit for Patient PB that was not actually performed. Respondent's conduct resulted in an inaccurate medical record on which subsequent caregivers would rely to provide ongoing medical care and deprived the patient of timely detection and medical intervention in the event that the patient experienced a change in status.
11. On or about January 26, 2006, while employed as a Staff Nurse with MedCare@Home, Dallas, Texas, Respondent provided falsified documentation of a skilled nurse visit for Patient KD that was not actually performed. Respondent also called the patient and asked that she falsely report to the agency that the skilled nurse visit had been performed as scheduled. Respondent's conduct was deceptive and resulted in an inaccurate medical record on which subsequent caregivers would rely to provide ongoing medical care. Furthermore, Respondent conduct deprived the patient of timely detection and medical intervention in the event that the patient experienced a change in status.
12. In response to the incidents in Findings of Fact Ten (10) and Eleven (11), Respondent states that she did perform the visits, documented care, but failed to have the patients sign the document to verify the visits were performed.
13. Formal Charges were filed and mailed to Respondent on March 16, 2009.
14. Respondent is currently employed as an Assistant Director of Nursing for Encompass Home Health Agency of North Central Texas, where she supervises a team of patients and staff from the office. She has direct supervision of nurses' documentation, approving orders and approving 485's for the patients on her team.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.
2. Notice was served in accordance with law.
3. The evidence received is sufficient to prove violations of Section 301.452(b)(10)&(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §§ 217.11(1)(A),(1)(B), (1)(D)&(1)(M) and 217.12(1)(A),(1)(B),(1)(C),(6)(A) & (6)(G).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 463406, heretofore issued to PATRICIA ELLEN CARROLL, including revocation of Respondent's license to practice professional nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that RESPONDENT SHALL receive the sanction of a REPRIMAND WITH STIPULATIONS, and RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Texas Occupations Code, §§301.001 *et seq.*, the Rules and Regulations Relating to Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.1 *et seq.* and this Order.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's multistate licensure privilege, if any, to practice professional nursing in compact states.

IT IS FURTHER AGREED and ORDERED that while Respondent's license is encumbered by this Order, Respondent may not work outside the State of Texas pursuant to a multistate licensure privilege without the written permission of the Texas Board of Nursing and the Board of Nursing in the party state where Respondent wishes to work.

IT IS FURTHER AGREED that:

(1) RESPONDENT SHALL deliver the wallet-sized license issued to PATRICIA ELLEN CARROLL, to the office of the Texas Board of Nursing within ten (10) days from the date of ratification of this Order.

(2) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in Texas nursing jurisprudence and ethics. RESPONDENT SHALL obtain Board approval of the course prior to enrollment only if the course is not being offered by a pre-approved provider. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include nurses. It shall be a minimum of six (6) contact hours

in length. The course's content shall include the Nursing Practice Act, standards of practice, documentation of care, principles of nursing ethics, confidentiality, professional boundaries, and the Board's Disciplinary Sanction Policies regarding: Sexual Misconduct; Fraud, Theft and Deception; Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder; and Lying and Falsification. Courses focusing on malpractice issues will not be accepted. RESPONDENT SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to the Office of the Board to verify RESPONDENT's successful completion of the course. This course shall be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure. *Board-approved courses may be found at the following Board website address:* <http://www.bon.state.tx.us/disciplinaryaction/stipscourses.html>.

(3) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in nursing documentation. RESPONDENT SHALL obtain Board approval of the course prior to enrollment only if the course is not being offered by a pre-approved provider. Home study courses and video programs will not be approved. The course shall be a minimum of six (6) hours in length of classroom time. In order for the course to be approved, the target audience shall include Nurses. The course shall include content on the following: nursing standards related to accurate and complete documentation; legal guidelines for recording; methods and processes of recording; methods of alternative record-keeping; and computerized documentation. RESPONDENT SHALL cause the instructor to submit a Verification of Course Completion form, provided by the Board, to the Board's office to verify RESPONDENT's successful completion of the course. This course shall be taken in addition to any other courses stipulated in this Order, if any, and

in addition to any continuing education requirements the Board has for relicensure. *Board-approved courses may be found at the following Board website address:*

<http://www.bon.state.tx.us/disciplinaryaction/stipscourses.html>.

(4) RESPONDENT SHALL pay a monetary fine in the amount of five hundred dollars (\$500.00). RESPONDENT SHALL pay this fine within forty-five (45) days of entry of this Order. Payment is to be made directly to the Texas Board of Nursing in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

IT IS FURTHER AGREED, SHOULD RESPONDENT PRACTICE AS A REGISTERED NURSE IN THE STATE OF TEXAS, RESPONDENT WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL SETTING AND RESPONDENT MUST WORK IN SUCH SETTING A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING STIPULATIONS FOR ONE (1) YEAR OF EMPLOYMENT. THE LENGTH OF THE STIPULATION PERIOD WILL BE EXTENDED UNTIL SUCH TWELVE (12) MONTHS HAVE ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE THE USE OF A REGISTERED NURSE (RN) LICENSE WILL NOT APPLY TO THIS STIPULATION PERIOD:

(5) RESPONDENT SHALL notify each present employer in nursing of this Order of the Board and the stipulations on RESPONDENT's license. RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each present employer within five (5) days of receipt of this Order. RESPONDENT SHALL notify all future employers in nursing of this Order of the Board and the stipulations on

RESPONDENT's license. RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each future employer prior to accepting an offer of employment.

(6) RESPONDENT SHALL CAUSE each present employer in nursing to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future employer to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within five (5) days of employment as a nurse.

(7) RESPONDENT SHALL be supervised by a Registered Nurse who is on the premises. The supervising nurse is not required to be on the same unit or ward as RESPONDENT, but should be on the facility grounds and readily available to provide assistance and intervention if necessary. The supervising nurse shall have a minimum of two (2) years experience in the same or similar practice setting to which the Respondent is currently working. RESPONDENT SHALL work only regularly assigned, identified and predetermined unit(s). Multiple employers are prohibited. RESPONDENT SHALL NOT be self-employed or contract for services. RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency with the exception of her current employer, Encompass Home Health of North Central Texas so long as this employer can comply with the supervision requirements stipulated above.

(8) RESPONDENT SHALL CAUSE each employer to immediately submit any and all incident, counseling, variance, unusual occurrence, and medication or other error reports involving RESPONDENT, as well as documentation of any internal investigations regarding action by RESPONDENT, to the attention of Monitoring at the Board's office.

(9) RESPONDENT SHALL CAUSE each employer to submit, on forms provided to the Respondent by the Board, periodic reports as to RESPONDENT's capability to practice nursing. These reports shall be completed by the Registered Nurse who supervises the RESPONDENT. These reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) month period for one (1) year of employment as a nurse.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, RESPONDENT SHALL be issued an unencumbered license and multistate licensure privileges, if any, to practice professional nursing in the State of Texas.

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From: ADVANTAGE HOME CARE

8177374306

02/11/2010 10:13

#219 P.002/002

RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that this Order is subject to ratification by the Board. When this Order is ratified, the terms of this Order become effective, and a copy will be mailed to me. I understand that if I fail to comply with all terms and conditions of this Order, I will be subject to investigation and disciplinary sanction, including revocation of my license to practice professional nursing in the State of Texas, as a consequence of my noncompliance.

, 2010

Signed this

9th

day of

FebruaryPatricia Carroll

PATRICIA ELLEN CARROLL, Respondent

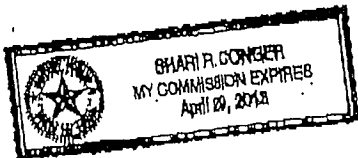
Sworn to and subscribed before me this

9th

day of

February, 2010

SEAL


Shari R. Conger

Notary Public In and for the State of

Texas

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 9th day of February, 2010, by PATRICIA ELLEN CARROLL, Registered Nurse License Number 463406, and said Order is final.

Effective this 23rd day of March, 2010.


Katherine A. Thomas, MN, RN
Executive Director on behalf
of said Board

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

In the Matter of Permanent Certificate §
Number 4-63406 issued to §
PATRICIA ELLEN COOPER §

ORDER OF THE BOARD

To: Patricia Ellen Cooper
6011 Ivy Glen
Arlington, Texas 76017

The board of Nurse Examiners for the State of Texas in a regularly scheduled meeting held on the 21st day of November, 1986, considered the conduct of PATRICIA ELLEN COOPER, Permanent Certificate Number 4-63406.

At the meeting, Mrs. Mary Elizabeth Jackson, President of the Board, presided and the following members were present:

| | |
|---------------------------------|------------------------------|
| Mrs. Pauline Barnes, R.N. | Dr. J. C. Pryor, R.N. |
| Mrs. Mary Virginia Jacobs, R.N. | Mrs. A. Joanna Seamans, R.N. |
| Dr. Ruby Morris | |

Following receipt of information, PATRICIA ELLEN COOPER agreed to a Consent to Board Order from the Board of Nurse Examiners. Respondent was not present at the Board of Nurse Examiners scheduled hearing but did appear at a hearing before the Executive Secretary. Testimony and other evidence was received by the Board and, as a result thereof, the Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. PATRICIA ELLEN COOPER, hereinafter referred to as "Respondent", is currently licensed to practice professional nursing in the State of Texas.

2. During a period of time from March, 1986, through May, 1986, Respondent appropriated Morphine Sulfate, without authorization, belonging to Methodist Medical Center, Dallas, Texas, and or to the patients thereof, while employed with the aforementioned facility.
3. Respondent received treatment for substance abuse from Care Unit Hospital, Dallas, Texas, from June 6, 1986, through June 27, 1986.
4. Respondent returned to her employment as a professional nurse with Methodist Medical Center, Dallas, Texas, on or about July 17, 1986, under a Return to Work Contract.
5. Respondent attends the Impaired Nurse Group and/or Alcoholics Anonymous on a daily basis.
6. Respondent desires to continue her career in professional nursing.

CONCLUSIONS OF LAW

1. The Board of Nurse Examiners has jurisdiction over this matter.
2. Based upon the evidence received, Respondent is in violation of applicable Texas law, the aforementioned action and conduct, in the opinion of the Executive Secretary, constitutes unprofessional conduct.

ORDER

IN VIEW OF THE FINDINGS OF FACT, it is hereby ordered that PATRICIA ELLEN COOPER, license number 4-63406, be issued a severe reprimand.

IT IS FURTHER ORDERED that license number 4-63406, heretofore issued to PATRICIA ELLEN COOPER, be subject to the following stipulations for a minimum period of two (2) years:

- (1) Respondent must return her current certificate of re-registration (wallet-size) to the office of the Board of Nurse Examiners for the State of Texas immediately for appropriate notation.

(2) Respondent shall notify each employer/potential employer in professional nursing of this Order of the Board and the stipulations on his/her license by presenting a copy of this order to each potential employer. When employment is obtained, the employer must submit the notification of employment form to the Board office.

(3) That, during her employment as a professional nurse, each employer of PATRICIA ELLEN COOPER submit on forms provided by the Board of Nurse Examiners, periodic reports as to her capability to practice professional nursing, such reports are due at the office of the Board of Nurse Examiners at the end of each month of employment for a minimum period of three (3) months from the date of this Order. If all the aforementioned reports are acceptable, then the reports shall be required at the end of each three (3) months for the duration of the stipulation period. If the place of employment changes, the Board of Nurse Examiners is to be notified immediately.

(4) The terms of this Order can be served only while Respondent is employed in the capacity of a registered nurse in a hospital, nursing home, or like employment, where the nurse is supervised. The nurse may not be employed by a nurse registry, temporary nurse employment agency or home health agency.

(5) Respondent shall completely abstain from the consumption or injection of controlled substances, except as prescribed by a duly licensed practitioner for a legitimate purpose. Respondent shall have sent to the Board of Nurse Examiners, in writing and within ten (10) days, by the prescribing physician or dentist, a report identifying the medication and dosage. Respondent shall submit to random periodic screens for controlled substances at

least once every month, for a minimum period of three (3) months. If all of the aforementioned screens test negative for controlled substances, then the screens shall be required at least once every three (3) months for the duration of the stipulation period. All screens shall be properly monitored and administered by Respondent's employer or counselor and personally observed by this individual or a trusted member of his/her staff. Respondent shall have written reports from the employer or counselor sent to the Board of Nurse Examiners concerning the results of the random periodic screens. If any sample tests positive for narcotic, controlled substance or habit forming substance which Respondent has used without a prescription from a physician or dentist, they shall report the findings to the Board of Nurse Examiners immediately. Expenses encumbered by the screens shall be borne by Respondent.

(6) The Board of Nurse Examiners shall review reports regarding the practice of professional nursing by Respondent at the end of the stipulation period. It is understood that after the review, the Board may restore all rights and privileges incident to the license of Respondent, but may also extend or modify the stipulation terms, if extension or modification is warranted by evidence presented to the Board.

(7) Respondent shall participate in therapy and written reports as to her progress in therapy, rehabilitation and capability to practice professional nursing shall be submitted to the Board of Nurse Examiners, on forms provided by the Board, from her professional counselor, such reports are to be furnished

each and every month for a minimum period of three (3) months. If all of the aforementioned reports are acceptable, then the reports shall be required at the end of each three (3) months for the duration of the stipulation period, or until dismissed from therapy.

(8) Respondent shall provide evidence of her weekly attendance at meetings of a local support group for substance abuse. Such evidence shall be submitted to the office of the Board of Nurse Examiners at the end of each three (3) months for a minimum period of two (2) years.

(9) That, PATRICIA ELLEN COOPER shall comply in all respects with the Revised Civil Statutes of Texas, Article 4513 through 4528, the Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice of the Board of Nurse Examiners and the provisions of the terms of this Order of the Board.

The Board admonishes Respondent that the prime objective of the nursing profession is to render service to humanity and, whoever chooses this profession, assumes the obligation to conduct themselves in accordance with nursing standards and obey the laws of the State of Texas.

IT IS FURTHER ORDERED AND THE BOARD SO FINDS, in accordance with Article 6252-13a, 16(c), Revised Civil Statutes of Texas, as amended, that an imminent peril to the public health, safety, or welfare requires immediate effect of this Order and the same shall be effective on the date herein below rendered.

Entered this 21st day of November, 1986.

Certificate to Order of Board
In the Matter of Permanent
Certificate No. 4-63406
Issued to PATRICIA ELLEN COOPER

The aforementioned Findings of Fact, Conclusions of Law and Order of the Board represent a final decision or Order duly made by the Board of Nurse Examiners in and for the State of Texas this the 21st day of November, 1986.

Mary Elizabeth Jackson Pauline Barnes, R.N.
President

Mary Virginia Jaso, R.N. A. James Edwards, L.R.

Jean Pryor, R.N.

Ruby Morris Ed.D.

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

In the Matter of Permanent Certificate §
Number 4-63406 issued to §
PATRICIA ELLEN COOPER §

ORDER OF THE BOARD

TO: Patricia Ellen Cooper
6011 Ivy Glen
Arlington, Texas 76017

The Board of Nurse Examiners for the State of Texas in a regularly scheduled meeting, having set a hearing to be held on November 17, 1987, to determine whether cause exists under Article 4525 (a) (8) and (9), Revised Civil Statutes of Texas, as amended, to suspend or revoke license number 4-63406, heretofore issued to PATRICIA ELLEN COOPER, pursuant to Texas law, which hearing was held on November 17, 1987, pursuant to applicable Texas law.

At the hearing, Mrs. Pauline Barnes, R.N., President of the Board, presided and the following members were present:

Dr. Lynn C. Besselman
Mrs. Mary Virginia Jacobs, R.N.

Dr. Jean Pryor, R.N.
Mrs. A. Joanna Seamans, R.N.

The Board of Nurse Examiners for the State of Texas was represented by Phillip Maxwell, counsel to the Board. Respondent was present but was not represented by counsel, although having been notified of her rights regarding same. Testimony and other evidence was received by the Board and, as a result thereof, the Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. That Sworn Complaint was filed with the Board of Nurse Examiners for the State of Texas in accordance with law.
2. That Notice of Hearing and Complaint were served upon PATRICIA ELLEN COOPER in accordance with law.

3. PATRICIA ELLEN COOPER, hereinafter referred to as "Respondent", is currently licensed to practice professional nursing in the State of Texas.
4. Respondent, while employed with Methodist Medical Center, Dallas, Texas, appropriated morphine sulfate, without authorization, belonging to the aforementioned facility and/or to the patients thereof during the month of July, 1987.

The above action is in violation of §217.13 (5), Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice, which prohibits:

"Appropriating, in connection with the practice of nursing, medications, supplies, equipment, or personal items of the patient/client, employer, or any other person or entity."

5. Respondent, while employed with the aforementioned facility during the month of July, 1987, engaged in the intemperate use of pherothiazines.

The above action constitutes the intemperate use of drugs, in violation of Article 4525 (a) (8), Revised Civil Statutes of Texas, as amended.

The aforementioned action and conduct constitutes unprofessional or dishonorable conduct which, in the opinion of the Board, is likely to deceive, defraud or injure patients or the public, in violation of Article 4525 (a) (8) and (9), Revised Civil Statutes of Texas, as amended.

CONCLUSIONS OF LAW

1. That pursuant to Article 4525, Revised Civil Statutes of Texas, as amended, the Board of Nurse Examiners for the State of Texas has jurisdiction over this matter.
2. That the evidence received was conclusive to prove unprofessional or dishonorable conduct which, in the opinion of the Board, is likely to deceive, defraud, or injure patients and the public.
3. That the activities of the nurse in question constituted sufficient cause pursuant to Article 4525 (a) (8) and (9), Revised Civil Statutes of Texas, as amended, to revoke license number 4-63406, heretofore issued to PATRICIA ELLEN COOPER, to practice professional nursing in Texas.

ORDER

NOW, THEREFORE, IT IS ORDERED that license number 4-63406, heretofore issued to PATRICIA ELLEN COOPER to practice professional nursing in the State of Texas be and the same is hereby revoked.

IT IS FURTHER ORDERED that said license issued to PATRICIA ELLEN COOPER, upon receipt of this order, be immediately delivered to the office of the Board of Nurse Examiners for the State of Texas.

IT IS FURTHER ORDERED AND THE BOARD SO FINDS, in accordance with Article 6252-13a, 16(c), Revised Civil Statutes of Texas, as amended, that an imminent peril to the public health, safety, or welfare requires immediate effect of this Order and the same shall be effective on the date herein below rendered and the same may not be stayed except on proper application to a District Court in accordance with Article 4525c, Revised Civil Statutes of Texas, as amended.

Entered this 17th day of November, 1987.

Certificate to Order of Board
In the Matter of Permanent
Certificate No. 4-63406
Issued to PATRICIA ELLEN COOPER

The aforementioned Findings of Fact, Conclusions of Law and
Order of the Board represent a final decision or Order duly made by the
Board of Nurse Examiners in and for the State of Texas this the 17th
day of November, 1987.

Charles Banta, R.N. Mary Virginia Jacobs, R.N.
President

A. James Semons, R.N. Jean Taylor, R.N.

Lynne C. Bushman, Ph.D.

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

In the Matter of Permanent Certificate
Number 4-63406 issued to
PATRICIA ELLEN COOPER

SSS

ORDER OF THE BOARD

To: Patricia Ellen Cooper
501 Tish Circle, Apt. #206
Arlington, Texas 76006

The Board of Nurse Examiners for the State of Texas in a regularly scheduled meeting on November 29, 1989, heard the application for reinstatement of license number 4-63406, heretofore issued to PATRICIA ELLEN COOPER, according to Article 4525c, Revised Civil Statutes of Texas, as amended.

At the meeting, Dr. Eileen Piwetz, R.N., President of the Board, presided and the following members were present:

Mrs. Pauline Barnes, R.N.
Dr. Lynn C. Bessolman
Mrs. Sara J. Keele, R.N.
Dr. Teddy L. Langford, R.N.

Mr. Morris H. Parrish
Mrs. Betty C. Ross, R.N.
Mrs. A. Joanna Seamans, R.N.
Mrs. Patsy Sharpe

The applicant was present at the meeting, but was not represented by counsel. Testimony and other evidence was received by the Board, and as a result thereof, the Board makes the following decision.

ORDER

NOW, THEREFORE, IT IS ORDERED that license number 4-63406, heretofore issued to PATRICIA ELLEN COOPER to practice professional nursing in the State of Texas be and the same is hereby reinstated upon payment of re-registration fees and compliance with the following stipulations for a minimum period of two (2) years.

(1) Respondent shall notify each employer/potential employer in professional nursing of this Order of the Board and the stipulations on her license by presenting a copy of this Order to each potential employer. When employment is obtained, Respondent must cause the employer to submit the notification of employment form to the Board office.

(2) That during her employment as a professional nurse, each employer of PATRICIA ELLEN COOPER submit on forms provided by the Board of Nurse Examiners, periodic reports as to her capability to practice professional nursing, such reports are due at the office of the Board of Nurse Examiners at the end of each three months for a minimum period of two (2) years of employment as a registered nurse following receipt of this Order. If the place of employment changes, the Board of Nurse Examiners is to be notified immediately.

(3) The terms of this Order can be served only while Respondent is employed in the capacity of a registered nurse in a hospital, nursing home, or like employment, where the nurse is supervised and works only on regularly assigned, identified and predetermined unit(s). The nurse may not be employed by a nurse registry, temporary nurse employment agency or home health agency. Respondent may not be self employed and multiple employers are prohibited.

(4) Respondent may not practice as a professional nurse in any critical care areas for a minimum period of one (1) year of employment as a registered nurse following receipt of this Order. Critical care areas are identified as any intensive care unit, step-down unit, emergency room, operating room and recovery room.

(5) Respondent may not practice as a professional nurse on the night shift, may not rotate shifts, work overtime, accept on call assignments, or be used for coverage on any unit other than the assigned unit(s) for minimum period of one (1) year of employment as a registered nurse following receipt of this Order.

(6) Respondent may not administer or have any contact with controlled substances, Nubain and/or Stadol for a minimum period of one (1) year of employment as a registered nurse following receipt of this Order.

(7) Respondent shall completely abstain from the consumption or injection of controlled substances, except as prescribed by a duly licensed practitioner for a legitimate purpose. Respondent shall have sent to the Board of Nurse Examiners, in writing and within ten (10) days, by the prescribing physician or dentist, a report identifying the medication, dosage and the date the medication was prescribed. Respondent shall submit to random periodic screens for controlled substances and alcohol at least once every week, for a minimum period of three (3) months. If all of the aforementioned screens test negative for controlled substances and alcohol, then the screens shall be required at least once every month for a minimum period of three (3) months. If all the aforementioned screens test negative for controlled substances and alcohol, then the screens shall be required at least once every three (3) months for the duration of the probation period. All screens shall be properly monitored and administered by Respondent's employer and personally observed by said individual or a trusted member of his/her staff. A complete chain of custody shall be maintained for each specimen obtained and analyzed. Respondent shall have written reports from the employer sent to the Board of

Nurse Examiners concerning the results of the random periodic screens. If any sample tests positive for alcohol, narcotic, controlled substance or habit forming substance which Respondent has used without a prescription from a physician or dentist, they shall report such findings to the Board of Nurse Examiners immediately. Expenses encumbered by the screens shall be borne by Respondent.

(8) The Board of Nurse Examiners shall review reports regarding the practice of professional nursing by Respondent at the end of the probation period. It is understood that after the review, the Board may restore all rights and privileges incident to the license of Respondent, but may also after notice and opportunity for hearing extend or modify the terms of probation. If extension or modification is warranted by evidence presented to the Board.

(9) Respondent shall participate in therapy and written reports as to her progress in therapy, rehabilitation and capability to practice professional nursing shall be submitted to the Board of Nurse Examiners, on forms provided by the Board, from a professional counselor as recognized by the Board, such reports are to be furnished each and every month for a minimum period of three (3) months. If all of the aforementioned reports are acceptable, then the reports shall be required at the end of each three (3) months for the duration of the probation period, or until dismissed from therapy.

(10) Respondent shall provide evidence of attendance of at least two (2) support group meetings per week. The weekly meetings shall consist of (a) a minimum of one (1) impaired nurse support group and (b) another local

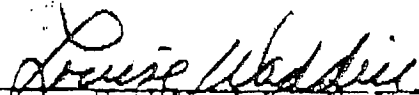
support group for substance abuse. Such evidence shall be submitted to the office of the Board of Nurse Examiners, on forms provided by the Board, at the end of each three (3) months for a minimum period of two (2) years.

(11) That, PATRICIA ELLEN COOPER shall comply in all respects with the Revised Civil Statutes of Texas, Article 4513 through 4528, the Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice of the Board of Nurse Examiners and the provisions of the terms of this Order of the Board.

Entered this the 29th day of November, 1989.

BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

BY


Louise Waddill, R.N., Ph.D.
Executive Secretary on behalf
of said Board

BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Petition for
Reinstatement of:

PATRICIA ELLEN CARROLL

RN256762 Petitioner.

)
)
) OAH NO. L-09053
)
)
)

DECISION

This matter was heard before a quorum of the Board of Registered Nursing ("Board"), in Los Angeles, California, on September 22, 1994.

Humberto Flores, Administrative Law Judge of the Office of Administrative Hearings, presided.

Earl Plowman, Deputy Attorney General, represented the Department of Justice. Petitioner, Patricia Ellen Carroll, appeared personally and represented herself.

Oral and documentary evidence was received and the matter submitted for decision. The Board finds the following facts:

1. On July 31, 1975, petitioner was issued license no. X 256762 by the Board.

2. Effective December 17, 1988, in Default Decision no. 88-91, the Board revoked petitioner's license for unprofessional conduct found as follows: In November 1987, petitioner's Texas nurse license was revoked by the State of Texas for appropriating an undetermined amount of morphine sulphate without authorization, and for intemperate use of phenothiazines. Petitioner turned herself in after taking the drugs.

3. By Order of the Board of Nurse Examiners for the State of Texas, dated November 29, 1989, petitioner's Texas license was reinstated with "Stipulations", including a stipulation that petitioner submit to random testing for narcotics. Petitioner has since completed the stipulations, and the Nurse Examiners of the State of Texas issued petitioner a license without stipulations. Said license is now in full force and effect.

4. On July 15, 1994, petitioner submitted a Petition for Reinstatement of her California nurse license.

5. (a) Petitioner moved to Texas in the early 1980's and remained there until this year. While in Texas, petitioner completed a drug rehabilitation program which consisted of 30 day in-patient treatment and a 6 month outpatient program. Petitioner has been sober since 1987.

(b) Petitioner has taken complete responsibility for her conduct which formed the basis for the revocation. Although petitioner was going through marital problems and a custody dispute during the time that she misappropriated the drugs, she did not attempt to use these problems to excuse her misconduct. Petitioner has a very positive outlook and is committed to her rehabilitation and the twelve step program. Petitioner regularly attends AA.

(c) Petitioner now has a stable family life and receives moral support from her husband and three children, as well as her mother. The marital problems and child custody dispute which created a stressful period for petitioner in 1987, have since been addressed by petitioner.

(d) During the past three years, petitioner worked as a nurse auditor in Quality Assurance and as an operations analyst at Irving Hospital located in Irving, Texas. Petitioner recently returned to California because of a family illness. While in California, petitioner has made use of a paralegal background by working with a legal consulting firm. She plans to stay in California and has enrolled at Mt. San Antonio College in an "RN re-entry program." Petitioner plans to work in a clinical position and eventually obtain a degree as a nurse practitioner.

6. Based on all of the evidence presented at the hearing, it is clear that petitioner is rehabilitated to the extent that reinstatement with attached probationary conditions would be consistent with the public interest.

DETERMINATION OF ISSUES

Cause exists to grant the petition to reinstate petitioner's license with probationary conditions, under Business and Professions Code section 2878.7 and Government Code section 11522, by reason of findings 5 and 6.

ORDER

The application of petitioner Patricia Ellen Carroll, for reinstatement of licensure is hereby granted. A license shall be issued to petitioner. Said license shall be immediately revoked, the order of revocation stayed and petitioner placed on probation for a period of three years with the following terms and conditions:

(1) Petitioner shall obey all federal, state and local laws, and all rules and regulations of the Board of Registered Nursing governing the practice of nursing in California. A full and detailed account of any and all violations of law shall be reported by the respondent to the Board in writing within seventy-two (72) hours of occurrence.

(2) Petitioner shall fully comply with the terms and conditions of the Probation Program established by the Board and cooperate with representatives of the Board in its monitoring and investigation of the petitioner's compliance with the Program.

(3) Petitioner, during the period of probation, shall appear in person at interviews/meetings as directed by the Board or its designated representatives.

(4) Periods of residency or practice outside of California will not apply to the reduction of this probationary term. The Petitioner must provide written notice to the Board within 15 days of any change of residency or practice outside the state.

(5) Petitioner, during the period of probation, shall submit such written reports/declarations and verification of actions under penalty of perjury as are required. These declarations shall contain statements relative to respondent's compliance with all the terms and conditions of the Board's Probation Program. Petitioner shall immediately execute all release of information forms as may be required by the Board or its representatives.

(6) Petitioner, during the period of probation, shall engage in the practice of professional nursing in California for a minimum of 24 hours per week (or as determined by the Board) for 6 consecutive months. Per Section 2732 of the Business and Professions Code, no person shall engage in the practice of registered nursing without holding a license which is in an active status.

(7) The Board shall be informed of and approve of each agency for which the petitioner provides nursing services prior to respondent's commencement of work. The petitioner shall inform her employer of the reason for and the terms and conditions of probation and shall provide a copy of the Board's decision and order to her employer and immediate supervisor. The employer shall submit performance evaluations and other reports as requested by the Board. Petitioner is also required to notify the Board in writing within seventy-two (72) hours after termination of any nursing employment. Any notification of termination shall contain a full explanation of the circumstances surrounding it.

(8) The Board shall be informed of and approve of the level of supervision provided to the petitioner while she is functioning as a registered nurse. The appropriate level of supervision must be approved by the Board prior to commencement of work. Petitioner shall practice only under the direct supervision of a registered nurse in good standing (no current discipline) with the Board of Registered Nursing.

(9) Petitioner may not work for a nurse registry; temporary nurse agency; home care agency; in-house nursing pool; as a nursing supervisor; as a faculty member in an approved school of nursing; or as an instructor in a Board approved continuing education program. Petitioner must work only on regularly assigned, identified and predetermined worksite with appropriate supervision as approved by the Board.

(10) Petitioner at her expense, shall begin and successfully complete courses in nursing as directed by the Board prior to engaging in the practice of nursing and prior to the end of the probationary term.

The petitioner may be suspended from practicing nursing until the necessary coursework is completed. The content of such courses and the place and conditions of instruction shall be specified by Board representatives at the time of the initial probation meeting based on the nature of the violations. Specific courses must be approved prior to enrollment. The petitioner must submit written proof of enrollment and proof of successful completion. Transcripts or certificates of completion must be mailed directly to the Board by the agency or entity instructing the petitioner.

Home study or correspondence courses are not acceptable and will not be approved.

(11) Petitioner, at her expense, within 45 days of the effective date of this Decision, shall have a licensed physician submit, in a format acceptable to the Board, an assessment of petitioner's physical condition and capabilities to perform the duties of a professional registered nurse. If medically determined, a recommended treatment program will be instituted and followed by the petitioner with the physician providing written reports to the Board on forms provided by the Board.

(12) Petitioner, at her expense, shall successfully complete or shall have successfully completed a treatment/rehabilitation program of at least six months duration which the Board approves. A representative of the Board shall determine if the rehabilitation program that petitioner completed in Texas satisfies this requirement.

In addition, petitioner must attend two 12 step recovery meetings per week (e.g. Narcotics Anonymous, Alcoholic Anonymous, etc.) and a nurse support group as directed by the Board. If a nurse support group is not available, an additional 12 step meeting must be added. Petitioner must submit dated and signed documentation confirming such attendance to the Board during the entire period of probation.

(13) Petitioner shall completely abstain from the possession, injection or consumption by any route of all psychotropic (mood altering) drugs, including alcohol, except when the same are lawfully prescribed by a licensed physician or dentist as part of documented medical treatment. Petitioner shall have sent to the Board, in writing and within fourteen (14) days, by the prescribing physician or dentist, a report identifying the medication, dosage, the date the medication was prescribed, the respondent's prognosis, and the date the medication will no longer be required.

(14) Petitioner, at her expense, shall participate in a random, biological fluid testing or drug screening program which the Board approves. The length of time and frequency will be subject to approval by the Board. The petitioner is responsible for insuring that reports are submitted directly by the testing agency to the Board, as directed. Any confirmed positive finding shall be reported immediately to the Board by the program and petitioner will be considered in violation of probation.

In addition, petitioner, at any time during the period of probation, shall fully cooperate with the Board or any of its representatives, and shall, when requested, submit to such tests and samples as the Board or its representatives may require for the detection of alcohol, narcotics, hypnotics, dangerous drugs, or other controlled substances.

(15) The petitioner shall, within 45 days of the effective date of this decision, have a mental health examination including psychological testing as appropriate to determine her capability to perform the duties of a registered nurse. The examination will be performed by a psychiatrist, psychologist or other license mental health practitioner approved by the Board. The examining mental health practitioner will submit a written report of that assessment and recommendations to the Board. All costs are the responsibility of the petitioner. Recommendations for treatment therapy or counseling made as a result of the mental health examination will be instituted and followed by petitioner.

(16) Petitioner, at her expense, shall participate in an ongoing counseling program until such time as the Board releases her from this requirement, and only upon the recommendation of the counselor. Written progress reports from the counselor shall be required at various intervals.

If petitioner violates the conditions of her probation, the Board after giving the petitioner notice and an opportunity to be heard, may set aside the stay order and impose the discipline of the petitioner's license.

If during the period of probation, an accusation has been filed against petitioner's license or the Attorney General's Office has been requested to prepare an accusation against petitioner's license, the probation period shall automatically be extended and shall not expire until the accusation has been acted upon by the Board. Upon successful completion of probation, the petitioner's license will be fully restored.

This Decision shall become effective on the third of December, 1994.

IT IS SO ORDERED this third day of November, 1994.

BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA.

HARRIET W. CLARK, Esq.
President

1 JOHN K. VAN DE KAMP, Attorney General
of the State of California
2 ROY S. LIEBMAN,
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3 Post Office Box 944255
1515 K Street, Suite 511
4 Sacramento, California 94244-2550
Telephone: (916) 324-5360
5
6 Attorneys for Complainants

7
8 BEFORE THE
BOARD OF REGISTERED NURSING
9 DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA
10

| | | |
|------------------------------------|---|-------------------------|
| 11 In the Matter of the Accusation |) | No. 88-91 |
| Against: |) | |
| 12 |) | |
| PATRICIA ELLEN COOPER |) | <u>DEFAULT DECISION</u> |
| 13 SW 204 Kimball Court |) | <u>AND</u> |
| Pullman, Washington 99163 |) | <u>ORDER</u> |
| 14 Registered Nurse License |) | |
| No. X 256762 |) | |
| 15 |) | |
| Respondent. |) | |
| 16 |) | |

17 The captioned respondent, having been served with the
18 Accusation, Statement to Respondent, and form Notice of Defense
19 as provided by sections 11503 and 11505 of the Government Code of
20 the State of California and having failed to file a Notice of
21 Defense within the time allowed by section 11506 of said Code and
22 the default of the respondent having been entered, the
23 undersigned agency has determined that respondent has waived the
24 right to a hearing to contest the merits of the Accusation; that
25 respondent is in default; and that this agency will take action
26 on the Accusation and documents on file herein without a hearing
27 as provided in sections 11505(a) and 11520 of the Government Code

1 and makes the following findings of fact:

2 FINDINGS OF FACT

3 The facts and allegations set forth in the Accusation
4 are true. Said accusation is on file with the Board of
5 Registered Nursing and the facts and allegations contained
6 therein are incorporated by reference as if fully set forth
7 herein.

8 DETERMINATION OF ISSUES

9 Based on the Findings of Fact stated above, respondent
10 has committed acts constituting grounds for revocation as set
11 forth in Accusation No. 88-91.

12 ORDER

13 WHEREFORE, for the aforesaid cause, the following order
14 is made:

15 1. Registered Nurse license No. X 256762 issued to
16 Patricia Ellen Cooper is hereby revoked.

17 2. Respondent shall not be deprived of making any
18 further showing by way of mitigation; however, such showing must
19 be made in writing to the Board of Registered Nursing, 1020 13th
20 Street, Suite 200, Sacramento, CA 95814 prior to revocation.

21 This decision shall become effective December 17,
22 1988.

23 DATED: November 16, 1988


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Board of Registered Nursing
Department of Consumer Affairs
State of California

1 JOHN K. VAN DE KAMP, Attorney General
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8 BEFORE THE
BOARD OF REGISTERED NURSING
9 DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA
10

11 In the Matter of the Accusation)
Against:)

No. 88-91

12 PATRICIA ELLEN COOPER)
13 SW 204 Kimball Court)
Pullman, Washington 99163)
14 Registered Nurse License)
15 No. X 256762)

DECLARATION OF
CATHERINE M. PURI, R.N.,
Ph.D. IN SUPPORT OF
DEFAULT DECISION
AND ORDER

16 Respondent.
17

18 I, Catherine M. Puri, R.N., Ph.D., declare:

19 I am the Executive Officer of the Board of Registered
20 Nursing. In my official capacity, and none other, I made the
21 charges and allegations in the captioned Accusation. I reviewed
22 the documents which were submitted for the preparation of the
23 disciplinary action against the license issued to the respondent.
24 The documents which I reviewed, the Accusation which I signed,
25 and the Default Decision of the Board of Registered Nursing
26 accurately sets the information developed in the course of the
27 investigation.

1 I declare under penalty of perjury that the foregoing
2 is true and correct.

3 Executed in Sacramento, California, on September 27,
4 1988.

5 *Catherine Puri, R.N., Ph.D.*

6 CATHERINE M. PURI., R. N., Ph.D.
7 Executive Officer
8 Board of Registered Nursing
9 State of California

10 Declarant
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03579110-
SA88AD0257

ORIGINAL

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5 Attorneys for Complainant

8 BEFORE THE
BOARD OF REGISTERED NURSING
9 DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

10
11 In the Matter of the Accusation)
Against:)
12) No. 88-91
PATRICIA ELLEN COOPER)
13 SW 204 Kimball Court) ACCUSATION
Pullman, Washington 99163)
14 Registered Nurse License)
No. X 256762)
15 Respondent.)
16

17 Catherine M. Puri, R.N., Ph.D., for causes for
18 discipline, alleges:

19
20 1. Complainant Catherine M. Puri, R.N., Ph.D., makes
21 and files this accusation in her official capacity as Executive
22 Officer, Board of Registered Nursing, Department of Consumer
23 Affairs.

24
25 2. On July 31, 1975, the Board of Registered Nursing
26 issued registered nursing license number X 256762 to Patricia

27 ///

1 Ellen Cooper (hereinafter referred to as respondent). The
2 license expired on November 30, 1980.

3
4 3. Under Business and Professions Code section 2750,
5 the Board of Registered Nursing may discipline any licensee,
6 including a licensee holding a temporary or an inactive license,
7 for any reason provided in Article 3 of the Nursing Practice Act.

8 Under Business and Professions Code section 2764, the
9 expiration of a license shall not deprive the Board of
10 Registered Nursing of jurisdiction to proceed with a disciplinary
11 proceeding against the licensee or to render a decision imposing
12 discipline on the licensee.

13
14 4. DRUGS

15 "Morphine sulphate" is a Schedule II controlled
16 substance as designated by Health and Safety Code section
17 11055(b)(1)(M).

18 "Phenothiazines" are dangerous drugs within the meaning
19 of Business and Professions Code section 4211 in that they
20 require prescriptions under federal law.

21
22 5. Respondent has subjected her license to discipline
23 under Business and Professions Code section 2761(k) in that on
24 November 17, 1987, her license as a professional nurse was
25 revoked by the Board of Nurse Examiners for the State of Texas
26 for unprofessional conduct for the following acts while an
27 employee of Methodist Medical Center, Dallas, Texas, during July

1 1987, said conduct constituting grounds for discipline in the
2 State of California under Business and Professions Code section
3 2761(a) as defined by sections 2761(a) and (b) of that code:

4 a. She appropriated an undetermined amount of
5 morphine sulphate, without authorization, belonging to Methodist
6 Medical Center and/or the patients thereof.

7 b. She engaged in the intemperate use of
8 phenothiazines.

9
10 WHEREFORE, complainant prays a hearing be had and that
11 the Board of Registered Nursing make its order:

12 1. Revoking or suspending registered nurse license
13 number X 256762, issued to Patricia Ellen Cooper.

14 2. Taking such other and further action as may be
15 deemed proper and appropriate.

16 DATED: 4/6/88

17
18 Catherine M. Puri
19 CATHERINE M. PURI, R.N., Ph.D.
20 Executive Officer
21 Board of Registered Nursing
22 Department of Consumer Affairs
23 State of California

24 Complainant

25
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